

Remarks to the Office Action Dated July 1, 2003:

A. Status of the Claims

Claims 1-21 were pending at the time the Office Action dated July 1, 2003 was mailed to Applicants. Claims 1-21 have been cancelled without prejudice or disclaimer. New claims 22-38 have been added. Support for the new claims can be found throughout the specification and claims as originally filed. Claims 22-38, therefore, are currently pending.

B. Affirmation of Applicants Response to the Restriction Requirement

On June 27, 2003, Examiner Rabon issued an Oral Restriction Requirement. In response, Applicants' representative, Mark B. Wilson, orally elected the Group I invention drawn to claim 1-16. Applicants affirm the election of the Group I invention without prejudice or disclaimer. Applicants reserve the right to pursue subject matter relating to the non-elected invention in future continuing applications.

Applicants note that new claims 22-38 correspond to cancelled claims 1-16. For example, independent new claims 22 and 38 correspond to cancelled independent claims 1 and 15. Therefore, the addition of new claims 22-38 correspond to the election of the Group I invention for further prosecution in this case.

C. The Indefiniteness Rejection is Overcome

The Action rejects cancelled claims 1-16 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Applicants traverse. Claims 1-16 are definite and satisfy all of the requirements of 35 U.S.C. § 112, second paragraph.

However, to further the prosecution of this case, claims 1-16 have been cancelled and new claims 22-38 have been added. In view of the amendments made above, the present

indefiniteness rejection is rendered moot. Moreover, new claims 22-38 are definite and satisfy all of the requirements of 35 U.S.C. § 112, second paragraph.

Accordingly, Applicants request that the indefiniteness rejection under 35 U.S.C. § 112, second paragraph, be withdrawn.

D. The Written Description Rejection is Overcome

The Action rejects claim 7 under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specifically, the Action contends that the term “hyperbranched polysulfide” lacks written description.

Applicants traverse. Cancelled claim 7 satisfies all of the requirements of 35 U.S.C. § 112, first paragraph.

Because claim 7 has been cancelled, the present rejection is rendered moot. Applicants note, however, that new claim 36 recites the term “hyperbranched polysulfide.” The specification provides written description support for the term “hyperbranched polysulfide.” See, for example, pages 4 and 5 of the specification. Additionally, originally filed claim 7 (see page 26) provides written description for this term. See *Manual of Patent Examining Procedure* § 2163, 8th Ed. Rev. (“There is a strong presumption that an adequate written description of the claimed invention is present when the application is filed.”).

Applicants further note that the term “hyperbranched polysulfide” is not indefinite. A person of ordinary skill in the art would understand the meaning of this term. See for example, pages 4 and 5 of the present specification.

In view of the specification and the originally filed claims, the rejection of claim 7 under 35 U.S.C. § 112, first paragraph, is improper. Additionally, a written description rejection for new claim 36 would also be improper for the same reasons.

Accordingly, Applicants request that the written description rejection of claim 7 under 35 U.S.C. § 112, first paragraph, be withdrawn.

E. Conclusion

Applicants believe that the present document is a full and complete response to the Office Action dated July 1, 2003. In conclusion, Applicants submit that, in light of the foregoing remarks, the present case is in condition for allowance, and such favorable action is respectfully requested.